

**From:** [Marlena Guajardo](#)  
**To:** [Adolfo Ruiz](#)  
**Subject:** FW: 2021-10-07, Zinter et al v Salvaggio et al, Deposition  
**Date:** Friday, October 29, 2021 10:27:49 AM  
**Importance:** High

**From:** Brandon J. Grable <[brandon@ggm.law](mailto:brandon@ggm.law)>

**Sent:** Thursday, October 7, 2021 1:37 PM

**To:** Charles Frigerio <[csf@frigeriolawfirm.com](mailto:csf@frigeriolawfirm.com)>; Patrick Bernal <[pbernal@rampagelaw.com](mailto:pbernal@rampagelaw.com)>; Adolfo Ruiz <[aruiz@rampagelaw.com](mailto:aruiz@rampagelaw.com)>

**Cc:** Austin Reyna <[austin@ggm.law](mailto:austin@ggm.law)>; Carolyn Stritzke <[cstritzke@ggm.law](mailto:cstritzke@ggm.law)>; Joelle Thomas <[jthomas@ggm.law](mailto:jthomas@ggm.law)>

**Subject:** 2021-10-07, Zinter et al v Salvaggio et al, Deposition

Counsel,

Following up from our recent conversation, please provide deposition dates for your clients:

Plaintiffs	Available Dates	Final Date
James Springer	Any day	
Jack Miller	Any day EXCEPT Thursdays	
David Bailey	Any day	
James Mead	11/1-11/5; no zoom access	
Kevin Egan	11/1-11/4	
Greg Gardiner	Any day	
Theresa Richard	11/1-11/12 with 3 day advance	
Russel Zinter	1-Nov	
Brian Howd		
Mark Brown	Any day with 3-4 day advance	
Juan Gonzales Jr.		
Jonathan Green	11/1-11/12 with a week's advance	
Jason Green	most Thursdays	

Defendants	Available Dates	Final Date
Chief Salvaggio		
City of Leon Valley		
David Anderson		
Deput Goldman		
Johnny Vasquez		
Chad Mandry		
Jim Wells		
Louis Farias		
Brandon Evans		
Uziel Hernandez		
Detective King		
Officer Azar		
Officer Breton		
Officer Castro		
Officer Rivera		
Officer Tacquard		
Officer Urdiales		
Officer Yarborough		

Experts	Available Dates	Final Date
Adolfo Ruiz		
Patrick Bernal		
Lowell Denton		

**Brandon J. Grable | Member | Grable Grimshaw Mora PLLC**  
 1603 Babcock Road | Suite 280 | San Antonio, Texas 78229  
 Office: 210.963.5297 | Fax: 210.641.3332

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**Exhibit  
A**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER; ET AL.

*Plaintiffs,*

v.

CHIEF JOSEPH SALVAGGIO, ET AL.

*Defendants.*

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NO: 5:18-CV-00680-JKP-RBF

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NOTICE OF INTENTION TO TAKE THE ORAL DEPOSITION  
OF EXPERT PATRICK BERNAL

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TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

TAKE NOTICE that the undersigned, on behalf of Plaintiffs Zinter, Howd, Bailey, Gardiner, Miller, Mead, Springer, Green, Green, Gonzales, Egan, Brown, and Richard, will take the remote deposition of **PATRICK BERNAL on November 17<sup>th</sup>, 2021, beginning at 9:00 a.m.**, through Prevail.IO's court deposition videoconference platform. Therefore, this deposition requires a strong internet connection and a device such as a computer, tablet, or function with a functioning camera, microphone, and speakers capable of accessing and using the Prevail.IO platform.

The deposition will be taken before a notary public who will make a video recording of the deposition. The parties will have access to real-time, instant AI transcription. Pursuant to Rule 30 of the Federal Rules of Civil Procedure, if any party designating another method of recording the testimony bears the expense of the additional record or transcript.

Information for accessing the Prevail.IO platform are forthcoming.

SIGNED this 27<sup>th</sup> day of October 2021.

Respectfully Submitted,

**GRABLE GRIMSHAW MORA PLLC**

/s/ Austin M. Reyna

**BRANDON J. GRABLE**

Texas State Bar No. 24086983

brandon@ggm.law

**AUSTIN M. REYNA**

Texas State Bar No. 24118645

austin@ggm.law

1603 Babcock Road, Suite 280

San Antonio, Texas 78229

Telephone: (210) 963-5297

Facsimile: (210) 641-3332

**COUNSEL FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing instrument has been served upon the below named parties, via electronic mail or certified mail according to the Federal Rules of Civil Procedure on this 27<sup>th</sup> day of October 2021.

**Charles Frigerio**

Law Offices of Charles S. Frigerio  
111 Soledad, Suite 840  
San Antonio, Texas 78205  
*Attorney for Defendants, Officers*

**Email:** [csfrigeriolaw@sbcglobal.net](mailto:csfrigeriolaw@sbcglobal.net)

**Email:** [frigeriolaw1995@sbcglobal.net](mailto:frigeriolaw1995@sbcglobal.net)

**Adolfo Ruiz**

DENTON NAVARRO ROCHA BERNAL & ZECH  
2517 North Main Avenue  
San Antonio, TX 78212  
*Attorneys for Defendants, City*

**Email:** [aruiz@rampagelaw.com](mailto:aruiz@rampagelaw.com)

**Brandon Joseph Pierce**

644 Kerry  
Crowley, Texas 76026

**Email:** [ethicsinstead@protonmail.com](mailto:ethicsinstead@protonmail.com)

**Selena Herrera**

202 S. Hoy Street  
Buffalo, Oklahoma 73834

**CMRRR # 9400 1119 6900 0000 11**

/s/Austin M. Reyna

**Austin M. Reyna**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

**RUSSELL ZINTER; ET AL.**

*Plaintiffs,*

v.

**CHIEF JOSEPH SALVAGGIO, ET AL.**

*Defendants.*

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**NO: 5:18-CV-00680-JKP-RBF**

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**NOTICE OF INTENTION TO TAKE THE ORAL DEPOSITION  
OF EXPERT ADOLFO RUIZ**

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TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

TAKE NOTICE that the undersigned, on behalf of Plaintiffs Zinter, Howd, Bailey, Gardiner, Miller, Mead, Springer, Green, Green, Gonzales, Egan, Brown, and Richard, will take the remote deposition of **ADOLFO RUIZ on November 17<sup>th</sup>, 2021, beginning at 10:00 a.m.**, through Prevail.IO's court deposition videoconference platform. Therefore, this deposition requires a strong internet connection and a device such as a computer, tablet, or function with a functioning camera, microphone, and speakers capable of accessing and using the Prevail.IO platform.

The deposition will be taken before a notary public who will make a video recording of the deposition. The parties will have access to real-time, instant AI transcription. Pursuant to Rule 30 of the Federal Rules of Civil Procedure, if any party designating another method of recording the testimony bears the expense of the additional record or transcript.

Information for accessing the Prevail.IO platform are forthcoming.

SIGNED this 27<sup>th</sup> day of October 2021.

Respectfully Submitted,

**GRABLE GRIMSHAW MORA PLLC**

/s/ Austin M. Reyna

**BRANDON J. GRABLE**

Texas State Bar No. 24086983

brandon@ggm.law

**AUSTIN M. REYNA**

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San Antonio, Texas 78229

Telephone: (210) 963-5297

Facsimile: (210) 641-3332

**COUNSEL FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

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**Charles Frigerio**

Law Offices of Charles S. Frigerio  
111 Soledad, Suite 840  
San Antonio, Texas 78205  
*Attorney for Defendants, Officers*

**Email:** [csfrigeriolaw@sbcglobal.net](mailto:csfrigeriolaw@sbcglobal.net)

**Email:** [frigeriolaw1995@sbcglobal.net](mailto:frigeriolaw1995@sbcglobal.net)

**Adolfo Ruiz**

DENTON NAVARRO ROCHA BERNAL & ZECH  
2517 North Main Avenue  
San Antonio, TX 78212  
*Attorneys for Defendants, City*

**Email:** [aruiz@rampagelaw.com](mailto:aruiz@rampagelaw.com)

**Brandon Joseph Pierce**

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**Selena Herrera**

202 S. Hoy Street  
Buffalo, Oklahoma 73834

**CMRRR # 9400 1119 6900 0000 11**

/s/Austin M. Reyna

**Austin M. Reyna**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

**RUSSELL ZINTER; ET AL.**

*Plaintiffs,*

v.

**CHIEF JOSEPH SALVAGGIO, ET AL.**

*Defendants.*

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**NO: 5:18-CV-00680-JKP-RBF**

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**NOTICE OF INTENTION TO TAKE THE ORAL DEPOSITION  
OF EXPERT LOWELL DENTON**

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TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

TAKE NOTICE that the undersigned, on behalf of Plaintiffs Zinter, Howd, Bailey, Gardiner, Miller, Mead, Springer, Green, Green, Gonzales, Egan, Brown, and Richard, will take the remote deposition of **LOWELL DENTON on November 17<sup>th</sup>, 2021, beginning at 11:00 a.m.**, through Prevail.IO's court deposition videoconference platform. Therefore, this deposition requires a strong internet connection and a device such as a computer, tablet, or function with a functioning camera, microphone, and speakers capable of accessing and using the Prevail.IO platform.

The deposition will be taken before a notary public who will make a video recording of the deposition. The parties will have access to real-time, instant AI transcription. Pursuant to Rule 30 of the Federal Rules of Civil Procedure, if any party designating another method of recording the testimony bears the expense of the additional record or transcript.

Information for accessing the Prevail.IO platform are forthcoming.

SIGNED this 27<sup>th</sup> day of October 2021.

**Exhibit  
D**

Respectfully Submitted,

**GRABLE GRIMSHAW MORA PLLC**

/s/ Austin M. Reyna

**BRANDON J. GRABLE**

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**AUSTIN M. REYNA**

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Telephone: (210) 963-5297

Facsimile: (210) 641-3332

**COUNSEL FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

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**Charles Frigerio**

Law Offices of Charles S. Frigerio  
111 Soledad, Suite 840  
San Antonio, Texas 78205  
*Attorney for Defendants, Officers*

**Email:** [csfrigeriolaw@sbcglobal.net](mailto:csfrigeriolaw@sbcglobal.net)

**Email:** [frigeriolaw1995@sbcglobal.net](mailto:frigeriolaw1995@sbcglobal.net)

**Adolfo Ruiz**

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**Brandon Joseph Pierce**

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**Selena Herrera**

202 S. Hoy Street  
Buffalo, Oklahoma 73834

**CMRRR # 9400 1119 6900 0000 11**

/s/Austin M. Reyna  
**Austin M. Reyna**

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**RUSSELL ZINTER; ET AL.**

**Plaintiffs,**

**v.**

**CHIEF JOSEPH SALVAGGIO; ET AL.**

**Defendants.**

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**CIVIL NO. SA-18-CA-680-JKP-RBF**

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**AFFIDAVIT OF ADOLFO RUIZ**

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STATE OF TEXAS       §  
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COUNTY OF BEXAR   §

Before me, the undersigned notary, on this day personally appeared Adolfo Ruiz, a person whose identity is known to me. After being by me duly cautioned to tell the truth, subject to the penalties for perjury, he did affirm and testify as follows:

“My name is Adolfo Ruiz. I am over the age of eighteen (18) years, am of sound mind, and am fully capable of making this affidavit. I am personally familiar with facts recited below, which are true and correct.

I am one of the attorneys from the law firm of Denton, Navarro, Rocha, Bernal & Zech representing Defendant, the City of Leon Valley, in the above-referenced case. I am also designated as one of the experts to testify as to the reasonableness of Plaintiffs’ attorneys’ fees in this matter. Our office received the deposition notices for Attorneys Bernal, Denton, and I on October 27, 2021. Although there was no identification as to the nature of the deposition testimony on the notices, Plaintiffs’ counsel informed me that it was because we were identified as experts to testify as to Plaintiffs’ request for attorney fees.

Pursuant to the authority cited in Defendant’s Motion for Protective Order, Plaintiffs’ request for Defendant’s counsels’ deposition is premature, counterproductive, and not in accordance with Fed. R. Civ. P. 26(b)(1), (c)(1) and 30(a)(2).


Alternatively, there are approximately 16 Defendants and 15 Plaintiffs in this case. There is no trial date set and Plaintiffs’ responses to Defendant’s

Requests for Production and Interrogatories are due on or before November 26, 2021. Mr. Bernal, Mr. Denton, and I will need adequate time to review any attorney fee documents sent to us by Plaintiffs' counsel in order to prepare and render an opinion as to the reasonableness of Plaintiffs attorneys' fees.

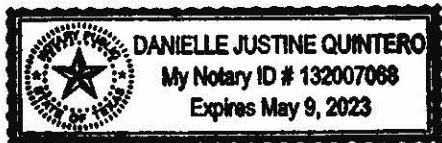
Upon conference with Plaintiffs' counsel, he did not agree to reset the Defendant's counsels' testimony on Plaintiffs' attorneys' fees for a time period after November 17, 2021.

Defendant's counsel is fully ready and available to render their expert opinion concerning the reasonableness of Plaintiffs' attorneys' fees when those records are available to Defendant's counsel to testify at the appropriate time."

Further Affiant sayeth not.

  
\_\_\_\_\_  
ADOLFO RUIZ  
ATTORNEY FOR DEFENDANT  
CITY OF LEON VALLEY

SUBSCRIBED AND SWORN TO BEFORE ME on this 29 day of October 2021, to certify which witness my hand and official seal.



  
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NOTARY PUBLIC, STATE OF TEXAS